

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

IN RE: RANBAXY GENERIC DRUG APPLICATION  
ANTITRUST LITIGATION

MDL No. 2878

THIS DOCUMENT RELATES TO:

All Cases

Master File No.  
19-md-02878-NMG

**JOINT MOTION TO AMEND CASE MANAGEMENT ORDER NO. 4**

The parties submit this motion with the Court to address the schedule in this matter, and possibly amend the Case Management Order No. 4. Because of logistical issues, including restrictions put in place in response to the COVID-19 virus, there have been delays that may make it difficult to complete fact discovery under the current deadlines. Under the Revised Case Management Order No. 4 (ECF No. 192), fact discovery is set to be completed by June 24, 2020 and trial is set for October 21, 2021.

The parties believe that all pretrial matters can be completed, with any necessary accommodations, in time for a January 2022 trial. Accordingly, the parties respectfully move this Court to amend Case Management Order No. 4 to set a trial in January 2022. If the Court grants this motion, the parties will confer and promptly submit a joint proposed case schedule consistent with that timeline.

*Joint motion allowed. SPNGorton, OSDT 5/15/20*

In the event the Court declines to move the trial date, the parties request a short telephonic conference to discuss the matter, and would make themselves available at the Court's convenience.

Dated: May 14, 2020

Respectfully submitted,

/s/ Robert Allen

Jay P. Lefkowitz, P.C.\*  
Devora W. Allon, P.C.\*  
Robert Allen\*  
**KIRKLAND & ELLIS LLP**  
601 Lexington Avenue  
New York, NY 10022  
Tel: (212) 446-4970  
lefkowitz@kirkland.com  
bob.allen@kirkland.com  
\* admitted pro hac vice

*Counsel for Defendants*

/s/ Gregory T. Arnold

Thomas M. Sobol (BBO# 471770)  
Gregory T. Arnold (BBO# 632738)  
Kristie A. LaSalle (BBO #692891)  
**HAGENS BERMAN SOBOL SHAPIRO LLP**  
55 Cambridge Parkway, Suite 301  
Cambridge, MA 02142  
Tel: (617) 482-3700  
Fax: (617) 482-3003  
tom@hbsslaw.com  
grega@hbsslaw.com  
kristiel@hbsslaw.com

Steve D. Shadowen (admitted pro hac vice)  
Matthew C. Weiner (admitted pro hac vice)  
Sean D. Nation (admitted pro hac vice)  
**HILLIARD & SHADOWEN LLP**  
919 Congress Ave., Suite 1325  
Austin, TX 78701  
Tel: (855) 344-3928  
steve@hilliardshadowenlaw.com  
matt@hilliardshadowenlaw.com  
sean@hilliardshadowen.com

John D. Radice (admitted pro hac vice)  
**RADICE LAW FIRM**  
34 Sunset Boulevard  
Long Beach, NJ 08008  
Tel: (646) 245-8502  
jradice@radicelawfirm.com

Paul E. Slater (admitted *pro hac vice*)  
Joseph M. Vanek (admitted *pro hac vice*)  
David P. Germaine (admitted *pro hac vice*)  
John Bjork (admitted *pro hac vice*)  
**SPERLING & SLATER, P.C.**  
55 W. Monroe Street, Suite 3500  
Chicago, IL 60603  
Tel.: (312) 641-3200  
[pes@sperling-law.com](mailto:pes@sperling-law.com)  
[jvanek@sperling-law.com](mailto:jvanek@sperling-law.com)  
[dgermaine@sperling-law.com](mailto:dgermaine@sperling-law.com)  
[bjbork@sperling-law.com](mailto:bjbork@sperling-law.com)  
[mslater@sperling-law.com](mailto:mslater@sperling-law.com)

Joseph H. Meltzer (admitted *pro hac vice*)  
Terence S. Ziegler (admitted *pro hac vice*)  
Ethan J. Barlieb (admitted *pro hac vice*)  
**KESSLER TOPAZ MELTZER & CHECK, LLP**  
280 King of Prussia Road  
Radnor, PA 19087  
Tel: (610) 667-7706  
[jmeltzer@ktmc.com](mailto:jmeltzer@ktmc.com)  
[tziegler@ktmc.com](mailto:tziegler@ktmc.com)  
[ebarlieb@ktmc.com](mailto:ebarlieb@ktmc.com)

Kenneth A. Wexler (*pro hac vice* pending)  
Tyler Story (*pro hac vice* pending)  
**WEXLER WALLACE LLP**  
55 W. Monroe Street, Suite 3300  
Chicago, IL 60603  
Tel: (312) 346-2222  
[kaw@wexlerwallace.com](mailto:kaw@wexlerwallace.com)  
[tjs@wexlerwallace.com](mailto:tjs@wexlerwallace.com)

Sharon K. Robertson (admitted *pro hac vice*)  
Donna M. Evans (BBO #554613)  
Royce Zeisler (admitted *pro hac vice*)  
**COHEN MILSTEIN SELLERS & TOLL PLLC**  
88 Pine Street, 14<sup>th</sup> Floor  
New York, NY 10005  
Tel: (212) 838-7797  
[srobertson@cohenmilstein.com](mailto:srobertson@cohenmilstein.com)  
[devans@cohenmilstein.com](mailto:devans@cohenmilstein.com)  
[rzeisler@cohenmilstein.com](mailto:rzeisler@cohenmilstein.com)

*Counsel for Plaintiffs Meijer, Inc., Meijer Distribution, Inc., and the Proposed Direct Purchaser Class*

Gerald Lawrence (PA ID #69079)  
Renee A. Nolan (PA ID #316558)  
William J. Olson (PA ID #322948)  
**LOWEY DANNENBERG, P.C.**  
One Tower Bridge  
100 Front Street, Suite 520  
West Conshohocken, PA 19428  
Tel: (215) 399-4770  
[glawrence@lowey.com](mailto:glawrence@lowey.com)  
[rnolan@lowey.com](mailto:rnolan@lowey.com)  
[wolson@lowey.com](mailto:wolson@lowey.com)

Peter D. St. Phillip (PA ID # 70027)  
**LOWEY DANNENBERG, P.C.**  
44 South Broadway  
Suite 1100  
White Plains, New York 10601  
Tel:(914) 997-0500  
[pstphillip@lowey.com](mailto:pstphillip@lowey.com)

*Counsel for Plaintiff United Food and Commercial Workers Health and Welfare Fund of Northeastern Pennsylvania and the Proposed End Payor Class*

James R. Dugan, II  
David S. Scalia  
TerriAnn Benedetto  
**THE DUGAN LAW FIRM, APLC**  
One Canal Place – Suite 1000  
365 Canal Street  
New Orleans, LA 70130  
(504) 648-0180  
jdugan@dugan-lawfirm.com  
dscalia@dugan-lawfirm.com  
tbenedetto@dugan-lawfirm.com

Allison Pham  
Jessica Chapman  
**BLUE CROSS AND BLUE SHIELD OF LOUISIANA**  
5525 Reitz Avenue  
P.O. Box 98029  
Baton Rouge, Louisiana 80809  
Tel.: (225) 295-2454  
Fax: (225) 297-2760

*Counsel for Louisiana Health Service and  
Indemnity Company d/b/a Blue Cross and Blue  
Shield of Louisiana, and HMO La., Inc. and the  
Proposed End-Payor Class*

**CERTIFICATE OF SERVICE**

I, Gregory T. Arnold, hereby certify that this document was electronically filed with the Clerk of the Court for the District of Massachusetts by using the CM/ECF System, which will provide notification of such filing on all registered CM/ECF users and electronic copies will be sent to those indicated as non-registered ECF participants on this 14th day of May 2020.

Dated: May 14, 2020

/s/ Gregory T. Arnold  
Gregory T. Arnold